

JERRY Y. FONG, ESQ. (SBN 99673)
THE LAW OFFICE OF JERRY FONG
706 COWPER STREET; SUITE 203
PALO ALTO, CA 94301
650/322-6123
650/322-6779 fax
jf@jerryfong.com

Attorney for Defendant SYLVESTER MOORE

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 11-00905 SBA
Plaintiff,)	STIPULATION OF THE PARTIES
vs.)	TO REQUEST A CONTINUANCE
SYLVESTER MOORE, ET. AL.,)	OF THE STATUS CONFERENCE
Defendant.)	CURRENTLY SCHEDULED ON
)	NOVEMBER 19, 2015 &
)	PROPOSED ORDER RE SAME.
)	AS MODIFIED

Plaintiff United States of America and Defendant Sylvester Moore, through their respective counsel, hereby stipulate that they are jointly requesting that the Court continue the Status Conference as to Defendant Sylvester Moore, currently scheduled on November 19, 2015, at 9:30 a.m., to March 17, 2016, at 9:30 a.m., in the United States District Court, for the Northern District of California, Oakland Division. The parties have been engaged in an on-going process of plea negotiations to attempt to resolve this case. Recently, several unexpected developments have been brought to the parties' attention which would necessitate additional time for the parties to work on the resolution process, including the defense's need to produce additional discovery to the Government.

Accordingly, the parties jointly request that the Court make a finding, pursuant to 18 USC §3161 (h)(7)(B)(iv), to exclude the time from November 19, 2015, to (and including) March 17, 2016, in computing the time for the application of the Speedy Trial Act, in order

to maintain the continuity of counsel for the defense and to provide defense and government counsel with reasonable time to adequately prepare Mr. Moore's defense, and that the Court finds that the ends of justice served by the time exclusion outweigh the interest of the public to a speedy trial. It is so stipulated.

Accordingly, the parties jointly request that the Court continue the Status Conference from November 19, 2015, to March 17, 2016, at 9:30 a.m. It is so stipulated.

DATED: November 16, 2015

/S/
JERRY Y. FONG, Attorney for
Defendant SYLVESTER MOORE

DATED: November 16, 2015

/S/
BRIAN LEWIS, AUSA
for Plaintiff UNITED STATES OF
AMERICA

~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and good cause appearing herein, it is hereby ordered that the Status Conference as to Defendant Sylvester Moore shall be continued from November 19, 2015, to March 17, 2016, at 9:30 a.m.

Furthermore, the Court orders that, pursuant to 18 USC §3161 (h)(7)(B)(iv), the time period between November 19, 2015 and March 17, 2016, shall be excluded for purpose of computing time for the application of the Speed Trial Act, and the Court finds that the continuance and excluded time are necessary to provide reasonable time for defense counsel to adequately prepare the defense, and that the ends of justice served by the time exclusion outweigh the interest of the public to a speedy trial. It is so ordered.

DATED: 11/17/15

Kandis Westmore
MAGISTRATE-JUDGE OF THE
UNITED STATES DISTRICT COURT